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Letter dated 17 August 2001 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 15 August 2001 from Mr. Naji Sabri, Minister for Foreign Affairs of the Republic of Iraq. The Minister calls attention to the ongoing wanton aggression against Iraq by United States and British aircraft in the unlawful no-flight zones and to the fact that in the period from 31 July to 7 August 2001 they carried out 198 sorties, 58 of them from Saudi Arabia, 86 from Kuwait and 54 from Turkey.

The Minister reaffirms the Government of Iraq's condemnation of these acts of aggression against Iraqi territory, and he states that international responsibility for them must be borne by the United States of America, the United Kingdom and the countries that provide the logistic support for this aggression, namely Saudi Arabia, Kuwait and Turkey. He urges you to perform the duties assigned to you under the Charter by halting this unwarranted aggression and ensuring that it does not recur.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Al-Douri**
Ambassador
Permanent Representative

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Annex to the letter dated 17 August 2001 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council

I should like to inform you that United States and British warplanes based in Saudi Arabia, Kuwait and Turkey have continued to violate the airspace of the Republic of Iraq. They carried out 198 sorties in the period from 31 July to 7 August 2001, 58 of them from Saudi Arabia, 86 from Kuwait and 54 from Turkey, as shown hereunder.

1. In the northern region 54 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 6,000 to 12,000 metres, as follows:

(a) At 1120 hours on 1 August 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 22 armed sorties, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Mosul, Irbil, Dohuk, Zakho, Aqrah, Tall Afar, Sinjar and Rawanduz areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 1420 hours, drove them off.

(b) At 1150 hours on 6 August 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 18 armed sorties, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Amadiyah, Dohuk, Ayn Zalah, Mosul, Tall Afar, Sinjar and Aqrah areas. Our air defences, acting in the context of their legitimate right to defend the homeland, engaged the aircraft and, at 1400 hours, drove them off.

(c) At 1225 hours on 7 August 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 14 armed sorties, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Baibo, Amadiyah, Zakho, Aqrah, Dohuk, Ayn Zalah, Tall Afar, Sinjar, Rawanduz and Irbil areas. Our air defences, acting in the context of their legitimate right to defend the homeland, engaged the aircraft and, at 1400 hours, drove them off.

2. In the southern region 144 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 9,000 to 13,000 metres, as follows:

(a) At 1020 hours on 31 July 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 20 armed sorties, 12 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and eight from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Busayyah, Lasaf, Salman, Ashbajah, Samawah, Shinafiyah and Artawi areas. Our air defences, acting in the context of their legitimate right to defend the homeland, engaged the aircraft and, at 1140 hours, drove them off.

(b) At 0910 hours on 1 August 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 10 armed sorties, two of them from Saudi territory with the support of an AWACS command and

control aircraft operating inside Saudi airspace and eight from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Busayyah, Artawi, Jalibah and Salman areas. Our air defences, acting in the context of their legitimate right to defend the homeland, engaged the aircraft and, at 1100 hours, drove them off.

(c) At 0715 hours on 3 August 2001, United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 49 armed sorties, 16 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 33 from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Basrah, Nasiriyah, Jalibah, Samawah, Shinafiyah, Lasaf, Ashbajah and Salman areas. Our air defences, acting in the context of their legitimate right to defend the homeland, engaged the aircraft and, at 1235 hours, drove them off.

(d) At 1005 hours on 4 August 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 22 armed sorties, eight of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 14 from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Nasiriyah, Busayyah, Artawi, Nukhayb, Jalibah, Afak and Lasaf areas. Our air defences, acting in the context of their legitimate right to defend the homeland, engaged the aircraft and, at 1335 hours, drove them off.

(e) At 0935 hours on 5 August 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 16 armed sorties, 10 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and six from Kuwaiti territory by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Nasiriyah, Qal'at Salih, Jalibah, Busayyah, Salman and Lasaf areas. Our air defences, acting in the context of their legitimate right to defend the homeland, engaged the aircraft and, at 1125 hours, drove them off.

(f) At 1005 hours on 6 August 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 27 armed sorties, 10 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 17 from Kuwaiti territory by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Lasaf, Busayyah, Ashbajah, Salman, Jalibah, Shinafiyah, Nukhayb, Basrah, Artawi, Qurnah and Jabayish areas. Our air defences, acting in the context of their legitimate right to defend the homeland, engaged the aircraft and, at 1520 hours, drove them off.

This aggression illustrates the criminal attitude being maintained by the United States of America and the United Kingdom towards Iraq. Since 1992, it has become

a fixed policy aimed at undermining the country's sovereignty, independence and territorial integrity and at the systematic and concerted destruction of Iraqi lives, infrastructure and civilian installations. It is a policy that has been affirmed in successive statements made by United States and British officials.

The fair-minded nations of the world, including the Arab countries with the exception of the Saudi and Kuwaiti regimes colluding with and participating in this crime, have condemned the maintenance of the no-flight zones as representing an illegitimate use of force against an independent State. Three countries that are permanent members of the Security Council, namely the Russian Federation, China and France, have stressed the fact that the enforcement of the no-flight zones in northern and southern Iraq has no basis in any principle of international law. Mr. Boutros Boutros-Ghali, the former Secretary-General, has stated that the claim made by the United States that Security Council resolution 688 (1991) authorizes the imposition of the no-flight zones is groundless. At his press conference of 27 June 2001, Mr. Kofi A. Annan also said that there was no basis in the resolutions of the Security Council for the imposition of the no-flight zones in northern and southern Iraq. His actual words were (SG/SM/7865):

> "You know my position on this, and I have indicated that when you analyse and read the Security Council resolutions I do not see the Security Council resolutions as a basis for that."

The Government of Iraq categorically rejects the two so-called no-flight zones, which were imposed by unilateral decision of the United States and the United Kingdom and lack any legal basis. Iraq rejects all the consequences of this illegal decision and, in particular, the flimsy excuses and pretexts used by these States in an attempt to justify their military aggression against our country.

The logistic support provided by the Saudi and Kuwaiti regimes and by Turkey to the United States and the United Kingdom has made them key partners in the aggression being committed against Iraq, so that they bear full international responsibility under international law. This includes liability for full compensation for the loss and damage, in both human and material terms, that is caused by these illegal practices.

The Government of Iraq further renews its call to the countries participating in this aggression to desist forthwith from internationally prohibited acts that violate Iraq's sovereignty, place its security and integrity in grave danger and pose a direct and serious threat to international peace and security.

As it condemns these acts of aggression against Iraqi targets and installations, the Government of Iraq urges you, given that the Secretary-General has said that there is no basis in the resolutions of the Security Council for the imposition of the no-flight zones, to perform the duties assigned to you [under the Charter] as they relate to the maintenance of international peace and security by calling upon the governments of the countries in question to halt, end and desist from any resumption of their ongoing aggression against an independent, sovereign State and by holding the perpetrators of this aggression and the regional parties that have associated themselves with it legally accountable for their persistence in this crime.

(*Signed*) Naji **Sabri**
Minister for Foreign Affairs